PATENT
Attorney Docket No. 020375-043300US
Client Ref. No. 030610191210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Confirmation No. 3753
Justin Monk, et al.	Examiner: Thu Thao Havan
Application No.: 10/690,394	Technology Center/Art Unit: 3693
Filed: October 20, 2003	REPLY BRIEF UNDER 37 CFR §41.41
For: SYSTEMS AND METHODS FOR FRAUD MANAGEMENT IN RELATION TO STORED VALUE CARDS	

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Examiner's Answer mailed on March 6, 2009 for the above-referenced application, Appellants submit this Reply Brief.

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ARGUMENT

The Examiner's Answer introduces a new ground of rejection of claims 6 and 8-15 under 35 U.S.C. § 101, and then repeats the rejection under 35 U.S.C. § 102(e) given in the Final Office Action of July 10, 2008.

Rejection under 35 U.S.C. § 101

The Examiner's Answer introduces a new ground of rejection of claims 6 and 8-15. Specifically, the Examiner's Answer alleges that these claims are not directed to patentable subject matter, because the recited process is not tied to a particular machine or apparatus, and do not transform a particular article into a different state or thing.

Applicants respectfully disagree.

Claim 6 recites:

> 6. *A method for detecting fraud in relation to stored value products, the method comprising:*
>> *receiving a first suspicious activity indication from a **first issuer analysis engine**, wherein the first issuer analysis engine is **operable to monitor activities** occurring in relation to a first plurality of stored value products associated with the first issuer;*
>> *receiving a second suspicious activity indication from a **second issuer analysis engine**, wherein the **second issuer analysis engine** is **operable to monitor** activities occurring in relation to a second plurality of stored value products associated with a second issuer different from the first issuer;*
>> *associating the first suspicious activity indication and the second suspicious activity indication in a global negative file based on a common load source account used load value on the plurality of the first and the second stored value products;*
>> *receiving an activity request from the **first issuer analysis engine**, wherein the request includes a transaction information about a current transaction with one of the first plurality of stored value products associated with the first issuer;*
>> *based at least in part on the transaction information, **accessing the global negative file**, wherein the transaction information includes the identity of the common load source account;*
>> *associating the current transaction with the first suspicious activity indication and the second suspicious activity indication and*

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*calculating a transaction velocity based on the transaction
information, and the first and second suspicious activity indications in
the global negative file; and*
*providing a response, wherein the response indicates whether the current
transaction exceeds a velocity threshold.*

The method of claim 6 is tied to the first and second *analysis engines*. As is explained in Applicants' specification, these engines can be "microprocessor based devices associated with computer readable media. Computer executable instructions can be maintained on the computer readable media that are executable to perform functions in relation to the methods...." (Specification paragraph [0032]). Thus, the analysis engines are specially programmed to perform their functions, and are particular machines.

"Furthermore, the computer readable media can include the previously described neg files." (Specification paragraph [0032]). Thus, the step of *accessing the global negative file* also is tied to a particular apparatus, the computer readable media on which the global negative file is stored.

Applicants believe the method claim 6 to be at least tied to a particular machine, and therefore to be subject matter eligible for patentability under 35 U.S.C. § 101. Claims 8-15 depend from claim 6, and are thus also directed to statutory subject matter.

Rejection under 35 U.S.C. § 102

The Examiner's Answer repeats the rejection of all of the pending claims under 35 U.S.C. § 102(e) as being allegedly anticipated by Arthus et al., U.S. Patent Application Publ. 2003/0187783. Applicants have thoroughly argued this rejection in the response filed September 10, 2008, and in the Appeal Brief filed December 3, 2008.
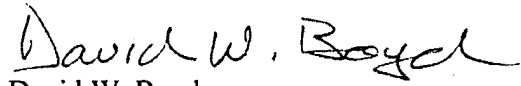
Applicants stand on those arguments.

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8. CONCLUSION

For these reasons, it is respectfully submitted that the rejections should be reversed.

Respectfully submitted,

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